G.R.S. 57.]

Previous References
Municipal 65-07 (5-6)
Sanitary 75-13 (1-15 + 17-23)

15

File No. 52 ~~15~~

Serial Nos. 1 to 5

1915-16.

GENERAL AND REVENUE SECRETARIAT.

(Legis) 36

Part A: Manuscript
for March 1918

Registration of Births and Deaths Regulation

Serial Nos. 1 to 5

1. To The J. A Resident
No Pol 1105 Dy 5-5-1917

Forwards a Copy of a Bill to make provision for the Registration of births and deaths in rural tracts

2 From The J. A. Resident-
No Pol 1878 Dated 12-5-1917

Informs that the Resident sees no objection to the Bill being laid before the Legis. C.

GPB—5,000—20-3-06.

G. R. S. 11] 191 5

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

P.R. San: 75-13
Sls 1-15, 17-23 B.

File No. 44-5 52-45 52-63

FILE HEADING.

~~A Regulation for the~~ Registration of Births and Deaths Regn.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

Legis 261-15

(2

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 5-2 of 1916.

2

Serial No.

1) Subd. with a draft Bill. The necessary corrections in the Madras Act-cases have been made in pencil and will be inked after approval. A draft G.O. and R. has also been put up.

S.V.S. 25/8/16 25/8/16

2) Please put up a clean copy incorporating all the corrections in red. N.N. 28/8

G. Srinivasa Iyer 26/8/16

Subd. with a copy

S.V.S. 4/9/16 4/9/16

3) For favour of approval & orders

G. Srinivasa Iyer 4/9/16

2120 4.9.16

Second Member

4) Bring up after Dasara.

I have no time now. 5/9/16 K.S.C. 5/9/16

Legis 13 5/9

5) Resubmitted

S.V.S. 18/10/16

6) For favour of approval

G. Srinivasa Iyer 18/10/16

First Member

7) Approved

20/10/16 M.K.

293 20.10.16

NOTE—Contn. sheet.

GPB—70,000—17-12-15

Leg. 261-15

(3)

G. R. S. 12]

General and Revenue Secretariat.

Legs. File No. 52 of 1916.

Serial No.

8) This is a schedule matter. Orders of the Dewan for circulation seem also to be necessary. Submitted

G. Srinivasa Iyer 20/10/16

Secretary

9) A copy corrected as at 7 in red ink & typed draft of Objects & reasons sh^d be put up. A slip

D.M. Narasinga Rao 28/1/16

28/1/17

10) Typed draft of Statement of Objects & reasons and a copy of the Bill corrected in red ink are submitted herewith for approval.

G. Srinivasa Iyer 29.1.16

Secretary 11) May be disposed of by circulation

Dewan

D.M. Narasinga Rao 30/1/16

30/1/17

3805 21/1/17

12) Yes. This is a very important matter

C.S. Dewan 21/1/17

22.1.17.

M.V.

13) When the amended Bill is ready, press is made for this item all steps as detailed under Circulation to be taken.

14) Directions to be issued at once for any further necessary steps to be taken.

A.R.B. 26.1.17.

NOTE—Contn. sheet.

GPB—70,000—17-12-15.

Jud. 267-15

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 52 of 1915. (4

Serial No.

15) Under the G.O. already issued, Government have expressly decided that the provisions should be extended also to Panchayat areas and that registration should be undertaken on the lines of the Madras Act. Submitted for favour of orders.

G. Srinivasa Iyer 28/2/17

Second Member

31.5
13-2-17

16) Mr. Ry. proposes that areas of Ry. villages should be taken for the areas in the three Village Panchayats - a Memorandum is submitted.

17) The Madras Act has been in force as a dead letter as far as my Hd Qrs - in rural areas & I am not in favour of applying it to Nagpur.

A.R. 13
14.2.17

18) As there is difference of opinion, the question may perhaps be discussed at a meeting of the Council

1876
15.2

First member & Secretary

Hon. Narasinga Rao 16/2/17

19) Yes

4770
17.2.17

as suggested

Hon. M.K. 16/2/17 on 16th

I agree

16.2.17 Hon M.V.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

(For disposal ~~by circulation~~ at meeting)

No. C. 81/917/15

25. 1. 1917

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

Introduction of a bill to make provision for the registration of births and deaths in rural tracts.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Narasinga Rao

24th January 1917.

Secretary to Government.

Extraordinary Member of Council.

First Member of Council. Approved.

Second Member of Council. Please see remarks 21)

330/25-1-17

20/ 26/1/17

WD 2012—GPB—1 000—9-2-16

Extract from the Proceedings of the 414th Meeting of the Council of His Highness the Maharaja, held at Bangalore, on the 31st March 1917.

16

5

8. Subject.- (Clause ii of the schedule.)

Introduction of a bill to make provision for the registration of births and deaths in rural tracts.

OPINION OF THE COUNCIL.

(1) The draft bill for the registration of births and deaths in rural tracts may be placed before the Legislative Council.

"EXTRACT"

Secretary to Government,
General Department.

WD—156—GPB—1,000—19-7-16.

Leg. 261-15

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | Legis File No. 52 of 1915-16.

(7)

Serial No.	
	23) To the Assistant Secretary, Br. III, for kindly submitting the file to the First Member of Council with a draft Final Note. D.M. Nara Singh/Rev 4/4 24) Put up as desired G. Sreenivasa Iyer 2/4/17
	25) Subm. with a a draft Final note and a draft Subm. note. S.V.E. 2/4/17 N.N.
	26) For favour of approval. G. Sreenivasa Iyer 3/4/17
	First Member 27) Fair Final note signed by the First Member is present with a D.S.N. Rvs 4/4/17 Dwarkanath Rao 5/4/17

1-85

2-5-83
4/4
5565
5.4.17

Final Note by the First Member of Council.

Subject:—

Introduction of a Bill to make provision for the Registration of Births and Deaths in rural tracts.

---

28) In para 6 of G.O.No.1025-75 San.75-13-23 dated 5th August 1915 it was ordered that necessary action should be taken to introduce a Bill into the Legislative Council on the lines of the Madras Act, III of 1899, so as to make the registration of births and deaths compulsory.

29) The Bill has accordingly been drafted and was considered in Council who are of opinion that it may be placed before the Legislative Council. The statement of objects and reasons accompanying the Bill explains the objects and scope of the Bill.

30) The gracious approval of His Highness the Maharaja is required for placing the Bill before the Legislative Council.

4th April 1917

(9

Submitted to His Highness.

K 31) I submit herewith a "Final Note" by the First Member of Council on the subject of the introduction of a Bill to make provision for the registration of births and deaths in rural tracts, for His Highness' gracious approval.

M. Visvesvaraya

22nd Apl. 1917.

BR

C.81(mtg)

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Introduction of a Bill to make provision for the registration of births and deaths in rural tracts.

Order.

27/4/17

J 1-15 J2465-16

WD 1233—GPB—60,000—1-12-16—S

G. R. S. III-2

General and Revenue Secretariat. | Legis File No. 52 of 1915.

Serial No.

33) Subd. with a draft letter to the Residency.

S/6/17

34) Done G. Sreenivasa Iyer 4/5/17.

To The Joint A.G.G. & Resident

No Pol 1105 Sta. May 17

Forwards a copy of a Bill to make provision for the registration of births and deaths in rural tracts.

2 From the Joint A.G.G. & Resident

No Pol. 1880 dated 12th May 1917

Informs that the Resident sees no objection to the Bill being laid before the Legis. Cl.

35) Subd. This will be included in the final agenda for the next meeting of the Legis. Cl.

21/5/17 N.N. S.V.S. 21/5/17 G. Sreenivasa Iyer 21/5

36) The Bill has to be read at the next meeting. Bill is a small measure, it may not be necessary to refer it to a Select Committee, but if it is so the Bill is in charge of the General Secretary. Submitted for favour of perusal orders.

G. Srinivasa Iyer 22/5/17

Sent to Secretary C.S.B. 22/5/17

NOTE—Contn. sheet.

2465-d
grs 29/9/17

General and Revenue Secretariat.

Legis File No. 52 of 1915.

Serial No.

Subd. Leave to introduce the Bill was granted by the Legis. Cl. on 29/6/17 and the Bill was read and referred to a S.C. on 29/9/17. The Report of the S.C. with the Bill as amended by them was considered in Council on 21/2/18 and passed by them. The gracious sanction of H.H. to promulgate the Bill into law is now required. A copy of the Bill as finally passed is also put up.

A draft final note and a draft submn note are put up

S.V.S.
1/3/18 N.N.

In favour of approval
G. Srinivasa Iyer
1/3/18

First Member

2934
1/3

This final note & signed copy of memln is put up. 1/3

Approved M.K.

1/3/18 Submitted

4609
2/3/18

C.S. Balasundaram
Dyer

1/3/18

NOTE—Contn. sheet.

13

Final Note by the First Member of Council.

Subject:—

Promulgation of the Mysore Registration of Births and deaths Bill into law.

The Mysore Registration of Births and Deaths Bill× was finally passed by the Legislative Council on the 21st February 1918.

The gracious sanction of His Highness the Maharaja is required to promulgate the Bill into law.

1/3/18

(14

Submitted to His Highness.

(Page 13 of this Collection)

I submit herewith a Final Note by the First *Member of Council on the subject of* Promulgation of the Mysore Registration of Births and Deaths Bill into law, *for His Highness' gracious approval.*

M. Visvesvaraya

Dewan.

31st March 1918

BR

(15

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Promulgation of the Mysore Registration of Births and Deaths Bill into law.

1002

Order.

~~KRW~~

6/3/18

Chief Secretary
8-3-18

M.V.
Ro

2/4/18

M/ 2.4

3424/30/3

Draw!

30/3

C.C.

14/ CKS 2/3/18

Director of Medical Services 8/3/18

21/ 1.4.18.

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat.

Legis File No. 52 of 191 S.

Serial No.	
	Subd. with a draft to the compiler Mysore Gazette S.V.S. 9/3/18 9/3/18 Issue Sd G. Sreenivasaya 9/3
3	No J 3778 & 12/3/18 To the Compiler, Mysore Gazette, Forward the Bill for publication as Regn. III of 1918 Subd. 8 spare copies have been received. Drafts forwarding the usual no of copies to the Residency and the Nizam's Govt are sent up. S.V.S. 6/4/18 6/4/18 12/4 Issue Sd G. Sreenivasaya 8/7
4	To The H. A. Residency No Pol 951 13th April 18 Forwards 9 copies of the Regulation
5	To The Secy to the Govt of H.E.H. the Nizam, Jude dept. Hyderabad No J 4238 15th April 18 Forwards 2 copies of the Regulation

NOTE—Contn. sheet.

G. R. S. 26]

GEN. & REV. SECRETARIAT
TYPING Sec.
4 MAY 1917

(17)

File No. Sr

Serial No. 1

Diary No. of letter replied to .....

No. Pol. 110 S/Ec. 2.
dated 5th May 1917
from Govt. of Mys

General and Revenue Secretariat
( )
, *the* 191 .

To

The J. A. Resident in
Mysore, Bangalore

Sir

Date of issue 5th May 1917

Signed by D. Narasinga Rao

I am directed to forward herewith a copy of a Bill to make provision for the registration of births and deaths in rural tracts. The Statement of Objects and reasons that accompanies the Bill explains clearly the scope and object of the Bill.

P. T. O. over.

SUBJECT.

5/5/17 -1

(17 a)

2. The Bill will be placed before the Legislative Council in due course.

I have &c.

G 4/5

For Secretary to Govt

8 2

RPC
3-5-17

List of enclosures

Nil
5/5/17

Copied by

Examined by

GPB—20,000—10-10-14

Copy for the file

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

REGISTRATION OF BIRTHS AND DEATHS Bill ACT, 1899.

MADRAS ACT No. III OF 1899.

MADRAS:
PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

[PRICE, 2 annas 3 pies.] 1909.

[Printed under the authority of the Governor of Fort St. George in Council by the Superintendent of the Government Press, Madras.]

MADRAS ACT No. III of 1899.[1]

[3rd April, 1899; 3rd May, 1899.]

An Act to make provision for the Registration of Births and Deaths in Rural Tracts.

WHEREAS it is expedient to make provision for the registration of births and deaths in rural tracts; It is hereby enacted as follows:— Preamble.

1. This Act may be called the Madras Registration of Births and Deaths Act, 1899. Title.

2. The Local Government may, by notification, extend this Act, or any portion thereof, to any local area beyond the limits of the city of Madras and of the municipalities constituted under the Madras District Municipalities Act, 1884, and may also by notification exclude any such local area from the operation of the Act or any portion thereof. Extension and withdrawal of Act.

3. In this Act, unless there is something repugnant in the subject or context,— Interpretation-clause.

"village" means any local area which for purposes of revenue-administration is now recognised as a village, or which may hereafter be declared by the Local Government to be a village, and in which local area this Act or any portion thereof is in force : "Village"

"registrar" means a person appointed registrar of births and deaths under section 5 of this Act. "Registrar."

4. On the publication of a notification under section 2 extending this Act or any portion thereof to any local area, the District Collector shall cause to be proclaimed in the vernacular language by notices posted at the village chavadi or other conspicuous place and by beat of drum in every village within the area so notified and by publication in the District Gazette the date from which registration of births and deaths will be compulsory in the said area. District Collector to proclaim that registration will be compulsory.

---

[1] For Statement of Objects and Reasons, *see* Fort St. George Gazette, Supplement dated 22nd November, 1898; for Proceedings in Council, *see ibid*, dated 20th December, 1898, p. 15; and *ibid*, dated 28th March, 1899, p. 16.

The Governor General's assent to this Act was published in the Fort St. George Gazette, dated 8th June, 1899.

Appointment of registrars.

5. (*1*) On the publication of such notification, the Deputy Commr Collector shall appoint a person either by name or by virtue of any office he may hold to be registrar of births and deaths for each village, or may if he sees fit divide any village into wards and appoint a person either by name or by virtue of any office he may hold to be registrar of births and deaths for each ward.

Registrars to keep registers in the prescribed form.

(*2*) Every registrar so appointed shall keep in the prescribed form a register of births and deaths for his village or ward, as the case may be.

Registrars to live in their villages or wards.

6. Every such registrar shall, unless otherwise expressly authorised by the Collector in writing, reside within the Deputy Commr village or ward of which he is the registrar, and shall cause his name, with the addition of registrar of births and deaths for the village or ward for which he is so appointed, written in the vernacular language, to be placed in some conspicuous place on or near the outer door of his office.

Deputy Commr District Collector to have registers printed and supplied.

7. (*1*) The District Collector shall cause to be printed and Deputy Commr supplied a sufficient number of register-books for making entries of births and deaths according to such forms and instructions as may, from time to time, be prescribed by the Local Government.

Copy of such forms to be posted in the office of the registrar.

(*2*) A copy of such forms in the vernacular language Kannada shall be posted in some conspicuous place on or near the outer door of the office of every registrar.

Information of birth to be given within two weeks.

8. The father of every child or, in case of the death, illness, absence or inability of the father, the midwife assisting at the birth, and in her default every adult male member of the family resident in the house in which the child was born and any person having charge of the child, or in default of the above the mother, shall, within two weeks next after the day of such birth, give or cause to be given, either orally or in writing, information to the registrar, according to the best of his knowledge and belief, of the several particulars required to be entered in the forms prescribed under section 7 :

Provisos.

Provided that a person not required to give information in the first instance but only in default of some other person shall not be bound to give information under this Act if he Regulation had reasonable cause to suppose that the information had been or would be duly given by such other person :

Provided also that, in the case of an illegitimate child, it shall in the first instance be the duty of the mother of such child to give information under this Act, and no person shall, Regulation as father of such child, be required to give information under

this ~~Act~~ concerning the birth of such child, and the registrar shall not enter in the register the name of any person as father of such child, unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and unless such person shall sign the register together with the mother. Regulation

Information to be given respecting new-born child found exposed.

9. In case any new-born child is found exposed, it shall be the duty of any person finding such child and of any person in whose charge such child may be placed to give, to the best of his knowledge and belief, to the registrar, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses.

Information of death to be given within four days.

10. The nearest adult male relative present at the death, or in attendance during the last illness, of any person dying in a village, or, in case of the default of such relative, every adult male person present at the death, or, in case of their default, the occupier of the house, or in his default every adult male person living in the house in which such death has happened, or, in case of the default of such inmate, the person undertaking the disposal of the corpse shall, within four days from the date of death, give or cause to be given, either orally or in writing, information to the registrar, according to the best of his knowledge and belief, of the several particulars required to be entered in the forms prescribed under section 7 :

Provided that a person not required to give information in the first instance, but only in default of some other person, shall not be bound to give information under this ~~Act~~ if he had reasonable cause to suppose that the information had been or would be duly given by such other person. Regulation

Head of the village bound to give information regarding other deaths.

11. In case any person is found dead in a village under circumstances not covered by section 10, it shall be the duty of the head of the village to give forthwith, to the best of his knowledge and belief, to the registrar, such information of the particulars required to be registered concerning such death as the informant possesses.

12. Notwithstanding anything contained in sections 8 and 10 of this ~~Act~~,— Regulation

In case of births and deaths in hospital, medical officer in charge to send notice to the registrar.

(*1*) in case of a child being born or of a person dying in any hospital, it shall be the duty of the medical officer in charge forthwith to send to the registrar a notice in writing of the occurrence of such birth or death containing the several particulars required to be entered in the forms prescribed under section 7 ;

In case of births and deaths in choultries, etc., keeper or person in charge to give the information required.

(2) in case of a child being born or of a person dying in any choultry, chattram, hotel, boarding-house, lodging-house, tavern, arrack or toddy shop or place of public resort, it shall be the duty of the owner, keeper or person in charge thereof to give the information required under sections 8 and 10 in the manner specified therein within forty eight hours of the birth or death, as the case may be.

A person giving oral information to write his name in the register.

13. Every person who has orally given to a registrar any information required under this ~~Act~~ shall write in the register Regulation his name, description and place of abode, and, if he cannot write, shall put his mark in the register to his name, description and place of abode, these particulars being in such case entered by the registrar.

When registrar to give extract, free of charge.

14. The registrar shall, as soon as the registration of the birth of a child has been completed, give, on application, free of all charge, to the person who gives information of the birth an extract under his hand from the register relating to such birth.

Registrar to register information without fee or reward and inform himself of every birth and death.

15. Every registrar shall without fee or reward register all information furnished to him under sections 8 to 13, and it shall also be his duty to inform himself carefully of every birth and of every death which takes place in his village or ward, and he shall ascertain and register, as soon as conveniently may be after the event, the particulars required to be registered according to the forms prescribed under section 7 touching every such birth and death, as the case may be, which has not already been registered.

Entry of name of child.

16. When the birth of any child has been registered without name, the parent or guardian of such child may, within twelve months next after the registration of birth, require the registrar to enter in the register the name of such child; and the registrar shall thereupon enter the name, and shall initial and date the entry.

Search of birth and death registers.

17. Subject to any rules which the ~~Local~~ Government may make under section 20, any person may at all reasonable times, on payment of a fee of four annas for each visit, search any register of births and deaths, and may on payment of a further fee of four annas obtain an extract from such register relating to any birth or death registered therein.

All extracts given under this section shall be certified as provided in section 76 of the Indian Evidence Act, 1872,[1] I of 1872, and may be produced in proof of the entries of which they purport to be copies.

---

[1] Printed, ~~General Acts, Vol. II; *see* too the revised edition of the Acts as modified~~ up to 1st April 1899.

18. Any person who—

(*1*) fails without reasonable cause to give any information which it is his duty to give under sections 8, 9, 10, 11 and 12 of this Act ; or

(*2*) gives, or causes to be given, for the purpose of being inserted in any register of births or deaths, any information which is false and which he knows or believes to be false touching any of the particulars required to be known and registered ; or

(*3*) refuses to write his name, description and place of abode or to put his mark in the register if required by section 13 ;

shall, on conviction before a Magistrate, be liable to a fine not exceeding ten rupees.

Penalty for omission to give information etc.

19. (*1*) No prosecution in respect of any offence punishable under this ~~Act~~ shall be instituted except under the order of the ~~Tahsildar~~ having jurisdiction over the village in which the offence was committed or of an officer to whom the ~~Tahsildar~~ is subordinate.

The ~~District Collector~~ or any officer generally or especially empowered by him in this behalf may stay such prosecution.

Prosecutions not to be instituted except under the order of a ~~Tahsildar~~ or an officer superior to him.

(*2*) In prosecutions for offences under the provisions of this ~~Act~~, the accused person may appear by an agent and may of right be defended by an agent :

Provided that the Magistrate may at any stage of the proceedings, for reasons to be recorded in writing, direct the personal attendance of the accused.

Accused persons may appear and be defended by agents.

20. The ~~Local~~ Government may, after previous publication, make rules—

(*1*) prescribing the forms of registers of births and deaths required to be kept under this ~~Act~~ ;

(*2*) for the inspection and examination of the registers maintained under section 5 ;

(*3*) for the conduct of the duties of the registrar during his absence on other duty or on account of illness or other cause.

(*4*) for the custody, production and transfer of the registers and other records kept by registrars ;

(*5*) for the correction of clerical errors which may be discovered in the registers of births or registers of deaths ;

(*6*) generally to carry out the provisions of this ~~Act~~.

Power of ~~Local~~ Government to frame forms and make rules.

(18 a

GEN. & REV. SECRETARIAT. 12 TYPING Sec. 3 MAY 1917

Statement of Objects and Reasons.

Government have had under consideration for some time past the question of improving the system of collection, compilation and publication of vital --- statistics in the State. But for want of statutory power to compel registration of births and deaths in rural areas it is found that correct statistics could not be collected. It is therefore deemed necessary to introduce a Regulation on the lines of the Madras Act III of 1899. As Section 48 of the Mysore Municipal Regulation 1906 provides for framing bye-laws to compel registration of births and deaths in Municipal areas, Municipalities constituted under the Mysore Municipal Regulation are excluded from the operation of this measure. Power is reserved in the Bill to Government to extend the provisions thereof to specified villages or local areas from time to time.

Draft 28/12

GB 29.12

Sd 3/5

28/12/16

GEN. & REST. SEC.
12 MAY 1917

No. 3757

DIARY No. 142465
1916-1917
SECTION Legis
FILE No. 52-15
SERIAL No. 2

Pol. 1880
14-5-17

FROM

MAJOR T. H. ST. GEORGE TUCKER,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

GEN. & REGISTRY SECTT.
JUDICIAL
14 MAY 1917

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General Department.

Dated Bangalore, 12th May 1917.

SIR,

With reference to your letter No.1105 Pol., dated the 5th May 1917, forwarding a copy of a bill to make provision for the registration of births and deaths in the Mysore State, I am directed to say that the Resident sees no objection to the Bill being laid before the Legislative Council.

I have the honour to be,
Sir,
Your most obedient servant,

T. St. G. Tucker.

First Assistant Resident.

R O. 2—R. P. B.—3—1917.—1,000.

~~Amended by the Select Committee~~

(23

NOTIFICATION.

No. 5—L. C., dated 2nd July 1917.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the following Bill to make provision for the Registration of Births and Deaths in Rural Tracts, is published for general information together with a statement of objects and reasons.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

A Bill to make provision for the Registration of Births and Deaths in Rural Tracts.

Whereas it is expedient to make provision for the registration of births and deaths in rural tracts; His Highness the Maharaja is pleased to enact as follows:—

Preamble.

1. This Regulation may be called the Mysore Registration of Births and Deaths Regulation.

Title.

2. The Government may, by notification, extend this Regulation, or any portion thereof, to any local area beyond the limits of the Municipalities constituted under the Mysore Municipal Regulation, 1906 and may also by notification exclude any such local area from the operation of the Regulation or any portion thereof.

Extension and withdrawal of Regulation.

3. In this Regulation, unless there is something repugnant in the subject or context,—

Interpretation clause.

"village" means any local area which for purposes of revenue-administration is now recognised as a village, or which may hereafter be declared by the Government to be a village, and in which local area this Regulation or any portion thereof is in force:

"Village."

"registrar" means a person appointed registrar of births and deaths under section 5 of this Regulation.

"Registrar."

*4. On the publication of a notification under section 2 extending this Regulation or any portion thereof to any local area, the Deputy Commissioner shall cause to be proclaimed in Kannada by notices posted at the village chavadi or other conspicuous place and by beat of drum in every village within the area so notified and by publication in the official Gazette the date from which registration of births and deaths will be compulsory in the said area.

Deputy Commissioner to proclaim that registration will be compulsory.

5. (1) On the publication of such notification, the Deputy Commissioner shall appoint a person either by name or by virtue of any office he may hold to be registrar of births and deaths for each village, or may if he sees fit divide any village into wards and appoint a person either by name or by virtue of any office he may hold to be registrar of births and deaths for each ward.

Appointment of registrars.

(2) Every registrar so appointed shall keep in the prescribed form a register of births and deaths for his village or ward, as the case may be

Registrars to keep registers in the prescribed form.

6. Every such registrar shall, unless otherwise expressly authorised by the Deputy Commissioner in writing, reside within the village or ward of which he is the registrar, and shall cause his name, with the addition of registrar of births and deaths for the village or ward for which he is so appointed, written in Kannada to be placed in some conspicuous place on or near the outer door of his office.

Registrars to live in their villages or wards.

Deputy Commissioner to have registers printed and supplied.

7. (1) The Deputy Commissioner shall cause to be printed and supplied a sufficient number of register-books for making entries of births and deaths according to such forms and instructions as may, from time to time, be prescribed by the Government.

Copy of such forms to be posted in the office of the registrar.

(2) A copy of such forms in Kannada shall be posted in some conspicuous place on or near the outer door of the office of every registrar.

Information of birth to be given within two weeks.

8. The father of every child or, in case of the death, illness, absence or inability of the father, the midwife assisting at the birth, and in her default every adult male member of the family resident in the house in which the child was born and any person having charge of the child, or in default of the above the mother, shall, within two weeks next after the day of such birth, give or cause to be given, either orally or in writing, information to the registrar, according to the best of his knowledge and belief, of the several particulars required to be entered in the forms prescribed under section 7 :

Provisos.

Provided that a person not required to give information in the first instance but only in default of some other person shall not be bound to give information under this Regulation if he had reasonable cause to suppose that the information had been or would be duly given by such other person

Provided also that, in the case of an illegitimate child, it shall in the first instance be the duty of the mother of such child to give information under this Regulation, and no person shall, as father of such child, be required to give information under this Regulation concerning the birth of such child, and the registrar shall not enter in the register the name of any person as father of such child, unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and unless such person shall sign the register together with the mother

Information to be given respecting new-born child found exposed.

9. In case any new-born child is found exposed, it shall be the duty of any person finding such child, and of any person in whose charge such child may be placed to give, to the best of his knowledge and belief, to the registrar, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses.

Information of death to be given within four days.

10. The nearest adult male relative present at the death, or in attendance during the last illness, of any person dying in a village, or, in case of the default of such relative, every adult male person present at the death, or, in case of their default, the occupier of the house, or in his default every adult male person living in the house in which such death has happened, or, in case of the default of such inmate, the person undertaking the disposal of the corpse shall, within ~~four~~ seven days from the date of death, give or cause to be given, either orally or in writing, information to the registrar, according to the best of his knowledge and belief, of the several particulars required to be entered in the forms prescribed under section 7 :

Provided that a person not required to give information in the first instance, but only in default of some other person, shall not be bound to give information under this Regulation if he had reasonable cause to suppose that the information had been or would be duly given by such other person.

Head of the village bound to give information regarding other deaths.

11. In case any person is found dead in a village under circumstances not covered by section 10, it shall be the duty of the head of the village to give forthwith, to the best of his knowledge and belief, to the registrar, such information of the particulars required to be registered concerning such death as the informant possesses.

12. Notwithstanding anything contained in sections 8 and 10 of this Regulation,—

In case of births and deaths in hospital, medical officer in charge to send notice to the registrar.

(1) in case of a child being born or of a person dying in any hospital, it shall be the duty of the medical officer in charge forthwith to send to the registrar a notice in writing of the occurrence of such birth or death containing the several particulars required to be entered in the forms prescribed under section 7;

In case of births and deaths in choultries, etc., keeper or person in charge to give the information required.

(2) in case of a child being born or of a person dying in any choultry, chattram, hotel, boarding-house, lodging-house, tavern, arrack or toddy shop or place of public resort, it shall be the duty of the owner, keeper or person in charge thereof to give the information required under sections 8 and 10 in the manner specified therein within forty-eight hours of the birth or death, as the case may be.

A person giving oral information to write his name in the register.

13. Every person who has orally given to a registrar any information required under this Regulation shall write in the register his name, description and place of abode, and, if he cannot write, shall put his mark in the register to his name, description and place of abode, these particulars being in such case entered by the registrar.

When registrar to give extract, free of charge.

14. The registrar shall, as soon as the registration of the birth of a child has been completed, give, on application, free of all charge, to the person who gives information of the birth an extract under his hand from the register relating to such birth.

Registrar to register information without fee or reward and inform himself of every birth and death.

15. Every registrar shall without fee or reward register all information furnished to him under sections 8 to 13, and it shall also be his duty to inform himself carefully of every birth and of every death which takes place in his village or ward, and he shall ascertain and register, as soon as conveniently may be after the event, the particulars required to be registered according to the forms prescribed under section 7 touching every such birth and death, as the case may be, which has not already been registered.

Entry of name of child.

16. When the birth of any child has been registered without name, the parent or guardian of such child may, within twelve months next after the registration of birth, require the registrar to enter in the register the name of such child; and the registrar shall thereupon enter the name, and shall initial and date the entry.

Search of birth and death registers.

17. Subject to any rules which the Government may make under section 20, any person may at all reasonable times, on payment of a fee of four annas for each visit, search any register of births and deaths, and may on payment of a further fee of four annas obtain an extract from such register relating to any birth or death registered therein.

All extracts given under this section shall be certified as provided in section 76 of the Indian Evidence Act, 1872, I of 1872, and may be produced in proof of the entries of which they purport to be copies.

18. Any person who—

Penalty for omission to give information, etc.

(1) fails without reasonable cause to give any information which it is his duty to give under sections 8, 9, 10, 11 and 12 of this Regulation; or

(2) gives, or causes to be given, for the purpose of being inserted in any register of births or deaths, any information which is false and which he knows or believes to be false touching any of the particulars required to be known and registered; or

(3) refuses to write his name, description and place of abode or to put his mark in the register if required by section 13;

shall, on conviction before a Magistrate, be liable to a fine not exceeding ten rupees.

Prosecutions not to be instituted except under the order of an Amildar or an officer superior to him.

19. (1) No prosecution in respect of any offence punishable under this Regulation shall be instituted except under the order of the Amildar having jurisdiction over the village in which the offence was committed or of an officer to whom the Amildar is subordinate.

The Deputy Commissioner or any officer generally or especially empowered by him in this behalf may stay such prosecution.

Accused persons may appear and be defended by agents.

(2) In prosecutions for offences under the provisions of this Regulation, the accused person may appear by an agent and may of right be defended by an agent:

Provided that the Magistrate may at any stage of the proceedings, for reasons to be recorded in writing, direct the personal attendance of the accused.

20. The Government may, after previous publication, make rules—

Power of Government to frame forms and make rules.

(1) prescribing the forms of registers of births and deaths required to be kept under this Regulation;

(2) prescribing returns and extracts to be submitted from time to time by the registrar;

(3) for the inspection and examination of the registers maintained under section 5;

(4) for the conduct of the duties of the registrar during his absence on other duty or on account of illness or other cause;

(5) for the custody, production and transfer of the registers and other records kept by registrars;

(6) for the correction of clerical errors which may be discovered in the registers of births or registers of deaths;

(7) generally to carry out the provisions of this Regulation.

Statement of Objects and Reasons.

Government have had under consideration for some time past the question of improving the system of collection, compilation and publication of vital statistics in the State. But for want of statutory power to compel registration of births and deaths in rural areas it is found that correct statistics could not be collected. It is therefore deemed necessary to introduce a Regulation on the lines of the Madras Act III of 1899. As section 48 of the Mysore Municipal Regulation, 1906 provides for framing bye-laws to compel registration of births and deaths in Municipal areas, Municipalities constituted under the Mysore Municipal Regulation are excluded from the operation of this measure. Power is reserved in the Bill to Government to extend the provisions thereof to specified villages or local areas from time to time.

(27

NOTIFICATION.

No. 281—L. C., dated 17th January 1918.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Mysore Registration of Births and Deaths Bill is published for general information with the Bill as amended by them.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

Report of the Select Committee on the Mysore Registration of Births and Deaths Bill.

We, the members of the Select Committee appointed to consider the Mysore Registration of Births and Deaths Bill have the honour to submit that we have considered the Bill carefully and have made only one amendment therein as follows :—

Clause 10.—As four days from the date of death is considered to be very short for the inmates of the house where the death occurred for sending intimation of the death to the Registrar, we have substituted the word "seven" for "four" in line 7 of the clause.

2. We recommend that the Bill as thus amended by us be passed.

3. As the Bill has not been materially altered we consider that it is not necessary to republish it as amended by us.

C. S. BALASUNDARAM IYER.
C. S. DORASWAMY IYER.
S. SEETHARAMAIYA.
C. NARASIMHAIYA.

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

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Section. Legis

File No. 52-15

Serial No. 3

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

Order No. J 3778 Encl 1

Ordered that the accompanying Regn Bill to amend make provision for the Registration of Births and Deaths in Rural tracts,

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....191

which received the assent of His Highness the Maharaja, on the 6th day of March 1918 be published as Regulation No. III of 1918, in the *Mysore Gazette* for general information.

Date of issue..... 12/3/18.

Signed by..M. G. Srinivasa

for Secretary to Government.

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part III of the Gazette, in English and Kannada and for supply of .....100.....spare copies in English, and .....100.....spare copies in Kannada to this office, and.....200.....spare copies in English and.....200.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

G. R. S. VI.—S-III/16]

2 DRAFTS

(21

SUBJECT.....

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Close

Section. S2-15.

File No. S 2-15

Serial No. 4

Diary No. of letter replied to.....

No. Pol. 957

To The Peshkar

The First Assistant to the Hon'ble the Resident in Mysore.

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....191

SIR,

I am directed to forward herewith 9 copies of the Regulation to make provision for the Registration of Births and Deaths in Rural tracts, No. III of 1918.

Date of issue 13th April 1918

Signed by R. S. Balasundaram Iyer.

I have etc.,

For *Secretary to Government.*

Draft

6/4/18

G. R. S. VI.—S-III/16]

DRAFT.

(22

SUBJECT.....

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Section. Revenue
File No. 52-15
Serial No. 5

Diary No. of letter replied to.....

No. J 4238 (2 copies)

To The Secretary to the Govt. of H.E.H. the Nizam, Judicial Dept Hyderabad, Deccan
~~The First Assistant to the Hon'ble the Resident in Mysore.~~

GENERAL AND REVENUE SECRETARIAT,
( )
, *the*.....191 .

SIR,

I am directed to forward herewith 2
copies of the Regn to make provision for the Registration of Births and Deaths in Rural tracts, No. III of 1918.

Date of issue.....15/4/18

Signed by.....M. G. Srinivasa

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.....

I have etc.,

for *Secretary to Government.*

Draft
6/4/18

(28

REGULATION No. III OF 1918.

A Regulation to make provision for the Registration of Births and Deaths in Rural Tracts.

(Received the Assent of His Highness the Maharaja on the 6th day of March 1918.)

Preamble.

Whereas it is expedient to make provision for the registration of births and deaths in rural tracts; His Highness the Maharaja is pleased to enact as follows:—

Title.

1. This Regulation may be called the Mysore Registration of Births and Deaths Regulation, 1918.

Extension and withdrawal of Regulation.

2. The Government may, by notification, extend this Regulation, or any portion thereof, to any local area beyond the limits of the Municipalities constituted under the Mysore Municipal Regulation, 1906, and may also by notification exclude any such local area from the operation of the Regulation or any portion thereof.

Interpretation clause.

3. In this Regulation, unless there is something repugnant in the subject or context,—

"Village."

"village" means any local area which for purposes of revenue-administration is now recognised as a village, or which may hereafter be declared by the Government to be a village, and in which local area this Regulation or any portion thereof is in force:

"Registrar."

"registrar" means a person appointed registrar of births and deaths under section 5 of this Regulation.

Deputy Commissioner to proclaim that registration will be compulsory.

4. On the publication of a notification under section 2 extending this Regulation or any portion thereof to any local area, the Deputy Commissioner shall cause to be proclaimed in Kannada by notices posted at the village chavadi or other conspicuous place and by beat of drum in every village within the area so notified and by publication in the official Gazette the date from which registration of births and deaths will be compulsory in the said area.

Appointment of registrars.

5. (1) On the publication of such notification, the Deputy Commissioner shall appoint a person either by name or by virtue of any office he may hold to be registrar of births and deaths for each village, or may if he sees fit divide any village into wards and appoint a person either by name or by virtue of any office he may hold to be registrar of births and deaths for each ward.

Registrars to keep registers in the prescribed form.

(2) Every registrar so appointed shall keep in the prescribed form a register of births and deaths for his village or ward, as the case may be.

Registrars to live in their villages or wards.

6. Every such registrar shall, unless otherwise expressly authorised by the Deputy Commissioner in writing, reside within the village or ward of which he is the registrar, and shall cause his name, with the addition of registrar of births and deaths for the village or ward for which he is so appointed, written in Kannada to be placed in some conspicuous place on or near the outer door of his office.

Deputy Commissioner to have registers printed and supplied.

7. (1) The Deputy Commissioner shall cause to be printed and supplied a sufficient number of register-books for making entries of births and deaths according to such forms and instructions as may, from time to time, be prescribed by the Government.

Copy of such forms to be posted in the office of the registrar.

(2) A copy of such forms in Kannada shall be posted in some conspicuous place on or near the outer door of the office of every registrar.

8. The father of every child or, in case of the death, illness, absence or inability of the father, the midwife assisting at the birth, and in her default every adult male member of the family resident in the house in which the child was born and any person having charge of the child, or in default of the above the mother, shall, within two weeks next after the day of such birth, give or cause to be given, either orally or in writing, information to the registrar, according to the best of his knowledge and belief, of the several particulars required to be entered in the forms prescribed under section 7 :

Information of birth to be given within two weeks.

Provided that a person not required to give information in the first instance but only in default of some other person shall not be bound to give information under this Regulation if he had reasonable cause to suppose that the information had been or would be duly given by such other person :

Provisos.

Provided also that, in the case of an illegitimate child, it shall in the first instance be the duty of the mother of such child to give information under this Regulation, and no person shall, as father of such child, be required to give information under this Regulation concerning the birth of such child, and the registrar shall not enter in the register the name of any person as father of such child, unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and unless such person shall sign the register together with the mother.

9. In case any new-born child is found exposed, it shall be the duty of any person finding such child and of any person in whose charge such child may be placed to give, to the best of his knowledge and belief, to the registrar, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses.

Information to be given respecting new-born child found exposed.

10. The nearest adult male relative present at the death, or in attendance during the last illness, of any person dying in a village, or, in case of the default of such relative, every adult male person present at the death, or, in case of their default, the occupier of the house, or in his default every adult male person living in the house in which such death has happened, or, in case of the default of such inmate, the person undertaking the disposal of the corpse shall, within seven days from the date of death, give or cause to be given, either orally or in writing, information to the registrar, according to the best of his knowledge and belief, of the several particulars required to be entered in the forms prescribed under section 7 :

Information of death to be given within seven days.

Provided that a person not required to give information in the first instance, but only in default of some other person, shall not be bound to give information under this Regulation if he had reasonable cause to suppose that the information had been or would be duly given by such other person.

11. In case any person is found dead in a village under circumstances not covered by section 10, it shall be the duty of the head of the village to give forthwith, to the best of his knowledge and belief, to the registrar, such information of the particulars required to be registered concerning such death as the informant possesses.

Head of the village bound to give information regarding other deaths.

12. Notwithstanding anything contained in sections 8 and 10 of this Regulation,—

(1) in case of a child being born or of a person dying in any hospital, it shall be the duty of the medical officer in charge forthwith to send to the registrar a notice in writing of the occurrence of such birth or death containing the several particulars required to be entered in the forms prescribed under section 7 ;

In case of births and deaths in hospital, medical officer in charge to send notice to the registrar.

(2) in case of a child being born or of a person dying in any choultry, chattram, hotel, boarding-house, lodging-house, tavern, arrack or toddy shop or place of public resort, it shall be the duty of the owner, keeper or person in charge thereof to give the information required under sections 8 and 10 in the manner specified therein within forty-eight hours of the birth or death, as the case may be.

In case of births and deaths in choultries, etc., keeper or person in charge to give the information required

13. Every person who has orally given to a registrar any information required under this Regulation shall write in the register his name, description and place of abode, and, if he cannot write, shall put his mark in the register to his name, description and place of abode, these particulars being in such case entered by the registrar.

A person giving oral information to write his name in the register.

14. The registrar shall, as soon as the registration of the birth of a child has been completed, give, on application, free of all charge, to the person who gives information of the birth an extract under his hand from the register relating to such birth.

When registrar to give extract, free of charge.

15. Every registrar shall without fee or reward register all information furnished to him under sections 8 to 13, and it shall also be his duty to inform himself carefully of every birth and of every death which takes place in his village or ward, and he shall ascertain and register, as soon as conveniently may be after the event, the particulars required to be registered according to the forms prescribed under section 7 touching every such birth and death, as the case may be, which has not already been registered.

Registrar to register information without fee or reward and inform himself of every birth and death.

16. When the birth of any child has been registered without name, the parent or guardian of such child may, within twelve months next after the registration of birth, require the registrar to enter in the register the name of such child; and the registrar shall thereupon enter the name, and shall initial and date the entry.

Entry of name of child.

17. Subject to any rules which the Government may make under section 20, any person may at all reasonable times, on payment of a fee of four annas for each visit, search any register of births and deaths, and may on payment of a further fee of four annas obtain an extract from such register relating to any birth or death registered therein.

Search of birth and death registers.

All extracts given under this section shall be certified as provided in section 76 of the Indian Evidence Act, 1872, and may be produced in proof of the entries of which they purport to be copies.

18. Any person who—

(1) fails without reasonable cause to give any information which it is his duty to give under sections 8, 9, 10, 11 and 12 of this Regulation; or

(2) gives, or causes to be given, for the purpose of being inserted in any register of births or deaths, any information which is false and which he knows or believes to be false touching any of the particulars required to be known and registered; or

(3) refuses to write his name, description and place of abode or, to put his mark in the register if required by section 13;

shall, on conviction before a Magistrate, be liable to a fine not exceeding ten rupees.

Penalty for omission to give information, etc.

19. (1) No prosecution in respect of any offence punishable under this Regulation shall be instituted except under the order of the Amildar having jurisdiction over the village in which the offence was committed or of an officer to whom the Amildar is subordinate.

Prosecutions not to be instituted except under the order of an Amildar or an officer superior to him.

The Deputy Commissioner or any officer generally or especially empowered by him in this behalf may stay such prosecution.

(2) In prosecutions for offences under the provisions of this Regulation, the accused person may appear by an agent and may of right be defended by an agent:

Accused persons may appear and be defended by agents.

Provided that the Magistrate may at any stage of the proceedings, for reasons to be recorded in writing, direct the personal attendance of the accused.

20. The Government may, after previous publication, make rules—

(1) prescribing the forms of registers of births and deaths required to be kept under this Regulation;

Power of Government to frame forms and make rules.

(2) prescribing returns and extracts to be submitted from time to time by the registrar;

(3) for the inspection and examination of the registers maintained under section 5;

(4) for the conduct of the duties of the registrar during his absence on other duty or on account of illness or other cause;

(5) for the custody, production and transfer of the registers and other records kept by registrars;

(6) for the correction of clerical errors which may be discovered in the registers of births or registers of deaths;

(7) generally to carry out the provisions of this Regulation.

M. VISVESVARAYA,
Dewan.